

THE RECOGNIZED IRISH REPUBLIC

An Editorial From The Freeman of April 7th

For Americans, the question of Irish independence is not a question of British municipal affairs. It is no longer even an Irish question. It has become an American question of the first order. Since June 6, 1919, when the Congress of the United States, under its constitutional authority, recognized the Irish Republic and intervened at the Peace Conference in its behalf, the question has wholly changed character in American eyes. No longer have we primary concern with the fortunes of Ireland; our first business is to see to it that constitutional action, taken in behalf of Ireland by our representatives in Congress, be not finally nullified and overridden by the Executive. Interest in Ireland is one thing; the defense of our own institutions and constitutional methods is another. There may be two minds about helping Ireland; there can be only one about resisting arbitrary and anarchical Executive interference with constitutional processes of government.

The Irish Republic was proclaimed April 24, 1916; it was ratified by the Irish people seven months later. On March 4, 1919, the House of Representatives passed the following resolution by a vote of 216 to 41:

That it is the earnest hope of the Congress of the United States of America, that the Peace Conference now sitting in Paris and passing upon the rights of the various peoples will favorably consider the claims of Ireland to self-determination.

Three months later, on June 6, 1919, the Senate passed the following resolution, one Senator, and but one, voting against it:

That the Senate of the United States earnestly requests the American Plenipotentiary Commissioners at Versailles to endeavor to secure for Eamonn de Valera, Arthur Griffiths, and Count George Noble Plunkett, a hearing before the said Peace Conference, in order that they may present the cause of Ireland; and resolved further, That the Senate of the United States expresses its sympathy with the aspirations of the Irish people for a government of its own choice.

Here the Congress of the United States did three things. It accepted jurisdiction; it recognized the competent standing of the Irish Republic before an international tribunal; and it strongly and sympathetically recommended favorable action on the part of that tribunal. The Senate even went so far as to recommend by name, as representing the cause of Ireland, those three delegates, and those only, who had been chosen to appear before the Peace Conference by the Republic of Ireland. The Congress clearly could have done none of these things except upon acceptance of the claim of the Irish Republic to the status of freedom and sovereignty. Hence, the Congress not only recognized the Irish Republic, but exercised intervention in its behalf at the Peace Conference. It must be remembered that there is no established formula in international practice for the recognition of new States. The United States has usually recognized by implication. France recognized our independence by implication. The Soviet government of Russia is on its way to similar recognition all around. The whole course of precedent is on the side of the United States Congress in determining the effectiveness of its recognition of the Irish Republic and of its intervention in behalf of the republican cause.

Moreover, the whole course of precedent (barring the one case of President Roosevelt's recognition of Panama) is on the side of the Congress in determining its right to take initial action in the premises. The Executive may and does recognize changes of government within an established State; but the Congress alone has power to recognize a new State as free and sovereign. Monroe and Jackson interrogated the Congress on this point, and accepted the authority of the Congress as governing their procedure. When the question was brought up again in 1864, when Abraham Lincoln was President, a report was adopted in the House which stated:

This assumption is equally novel and inadmissible. No President has ever claimed such extensive authority. No Congress can ever permit its expression to pass without dissent. It is certain that the Constitution nowhere confers such authority upon the President. . . . It is not known that hitherto the President has ever undertaken to recognize a new nation or a new Power not before known in the history of the world and not before acknowledged by the United States, without the previous authority of Congress.

Nevertheless, in 1919, the Executive ignored the action of the Congress in the matter of the Irish resolution and by so doing held the authority of the Congress in contempt. Five days after the Senate resolution was adopted, Mr. Frank P. Walsh called the attention of the Executive to the Congressional action. Mr. Walsh has given testimony before the Senate Committee that President Wilson refused to countenance the matter—and on what grounds, good heavens!—because he had entered into a personal engagement with the British, French and Italian premiers, requiring unanimous consent to the appearance of any small nation before them! According to Mr. Walsh's testimony, Mr. Wilson said:

That is an official request, Mr. Walsh. Of course you should understand that no small nation of any kind has yet appeared before the Committee of Four, and there is an agreement among the Committee of Four that none can come unless unanimous consent is given by the whole Committee.

Thus the Executive, of his own motion, on his own authority, and by his own explicit admission, went into connivance with the representatives of foreign powers upon terms which compelled him to disregard and disallow the action of the Congress of the United States. Has the Congress anything to say about this; and if not, have the people whose representatives they are, and upon whose urgent demand they took their official action with respect to the Irish Republic, anything to say to the Congress? If this display of insatiable egotism and matchless impudence were made upon the theory of divine right or upon some similar pretension to natural superiority, it would still give ample ground for the most summary action; but when made by a mere servant, a mere hired man, whose only function, if he has a function, is to do diligently and obediently what he is told to do by Constitutional direction, it means either that his action be promptly repudiated and nullified or else that the Congress has abdicated its Constitutional place and function.

Who was President of the United States in the year 1864? A man, certainly, whose title to respect and regard from posterity seems good. In December of that year, he too, undertook on his own motion to make a little explanation to the government of France concerning a resolution of the Congress respecting Maximilian's performances in Mexico. The House of Representatives immediately administered by resolution this severe rebuke:

Congress has a constitutional right to an authoritative voice in declaring and prescribing the foreign policy of the United States, as well in the recognition of new Powers as in other matters; and it is the constitutional duty of the Executive to respect that policy not less in diplomatic negotiations than in the use of the national forces when authorized by law; and the propriety of any declaration of foreign policy by Congress is sufficiently proved by the vote which pronounces it; and such proposition while pending and undetermined is not a fit topic of diplomatic explanation with any foreign Power.

The effect of the present Executive's agreement with the other representatives in the Committee of Four, was to compromise Ireland's claim to freedom and sovereignty, in favour of some sort of colonial policy on the part of England. While the Congress had intervened in behalf of Irish freedom and sovereignty, the Executive intervened against it and so far, has prevailed. Setting up his own will and predilections against not only the expressed will of the Congress but also the full current of American tradition, everything that the Executive could do, short of maintaining armed forces in Ireland—he has not done that—has been done towards the extinction of the Republic and the furtherance of the British Government's purposes over Ireland. The silence of the Congress has permitted the representation of his policy to go before the American and Irish people, and, still more important, before the British people, as the unchallenged official policy of the United States. The ancient tradition of the United States is that of sympathy and assistance towards peoples struggling into emergence as new States. James Monroe refused to take part in any discussion of the case of the South American republics which tended towards anything short of their complete independence. England proposed to restore them to Spain upon a colonial basis, with commercial freedom; Monroe flatly declined to have anything to do with this specious project. He said:

Our policy here has been to throw the moral weight of the United States in the scale of the colonies. . . . Our ports were open to them for every article they wanted, our good offices are extended to them with every Power in Europe, and with great effect.

Such was our policy for more than a century. But that which now passes by default for our official policy towards the Irish Republic, is precisely opposite to this. The Executive, the successor to James Monroe, has done all in his power to throw the moral weight of the United States against the Irish Republic, and he has extended no good offices to Ireland with any power in Europe, but has connived explicitly and in defiance of the Congress, with the British government against its freedom and its sovereignty. The English people are well acquainted with our traditional policy; how, then, under these circumstances, are they to become aware that the people of the United States consider it applicable to Ireland, and do not acquiesce with the Executive in the British government's view of Ireland's struggle as an unjustifiable rebellion and riot?

This situation, so intolerable in its unconstitutionality and in its character so alien and repugnant to American tradition, can be set right and that speedily and without let or hindrance from the Executive. Last month the Senate passed still another resolution, incorporating the independence of Ireland as an essential part of the peace treaty. There is now a bill before the House providing an appropriation to maintain a diplomatic representative to the Irish Republic; and if this were passed it would go a long way to make clear the sound and traditional American position in this case, and to vindicate the Constitutional authority of the Congress. In the event of further military atrocities in Ireland, the Congress could denounce, and should promptly denounce, our existing commercial treaties with England, precisely as our treaties with Russia were denounced in 1914 on account of discrimination against the Jews. We have quite as many citizens of Irish blood as we had Jewish at that time, and their relation to Irish affairs is quite as close and intimate. The Congress can suspend the neutrality laws; it can claim payment of England's debt to the United States. There are many competent and effective ways in which it can repudiate and defeat the usurpation of the Executive, and decisively back up its own action of last year in behalf of the Irish Republic.

If it did so assert its authority, one of the most important consequences would be to show to the British people that our own traditions are the same as theirs and that our respect for them is as great as theirs. By permitting the Executive policy towards Ireland to pass as official and final, we are misleading the English people by furnishing their governing class and their government and its propagandists a talking-point of immense value. The tradition of the English people, the thing that ought really to unite, and in the end must unite, the American people with them, is the tradition of liberty. So strong is this tradition in them, and so great their regard for it, that it has been all that their governments could possibly do to mislead it and hoodwink it and make it ineffectual. It is to this tradition and this regard that our people can appeal, and upon this they can erect a common understanding. The kind of Anglo-American alliance so freely talked about in certain quarters today, deserves only derision; there is no such thing. It is only an alliance of governments, of Tory-Federalists, of imperialists. There is nothing traditionally English, nothing traditionally American, about all this; and the recommendations for it are, to the right-minded of both countries, disgusting humbug. But there is a tradition in both countries, abundantly vindicated in both, to which the people of both can wholeheartedly cleave, and in so doing, can bring about an indissoluble unity of spirit. The tradition of liberty, which the English people have consistently and continually struggled to maintain, is the tradition of Paine and Jefferson and can never be wholly bred out of Americans, no matter what governments, imperialists, Tory-Federalists and all their agencies and institutions, may do. It is to this tradition and to our practical regard for it, that this case of the Irish Republic finally reverts. The Congress, acting under great pressure, has functioned, and its will has been defeated and nullified by the unconstitutional action of the Executive. Left to itself, Congress will go no further. It is for the American people, not the Irish-Americans but those who are born into the tradition of Paine and Jefferson, to see to it, and see to it promptly and decisively, that Congress does go further in backing up its own stand, reasserting effectively its own constitutional status and authority, and at the same time vindicating and upholding the true Anglo-American tradition.

The above is re-printed from the current number of THE FREEMAN (New York). The cost of this advertisement is being defrayed by a committee of patriotic Americans not of Irish birth who believe in maintaining the rights of Congress and who are eager that constitutional government shall not perish from the earth.